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Attorney for Plaintiff, Ryan Davis
on behalf of himself and all others similarly situated

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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RYAN DAVIS

Plaintiff,

JURY TRIAL DEMANDED

v.

Case No.

BOUNCE AI, INC.

Defendant

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COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, by and through his counsel, Elliot Elo, Esq., as and for his complaint against Defendant, on behalf of himself and all others similarly situated, alleges as follows:

I. INTRODUCTION

1. This is an action for actual and statutory damages brought by Ryan Davis (hereinafter “Plaintiff”) an individual consumer, against, Bounce AI, Inc. (hereinafter “Defendant”), for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

II. JURISDICTION AND VENUE

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. Venue in this District is proper in that the Defendant transacts business in Teaneck, Bergen County, New Jersey, and the conduct complained of occurred in Teaneck, Bergen County New Jersey.

III. PARTIES

3. Plaintiff, Ryan Davis is a natural person residing in Teaneck, New Jersey. Plaintiff is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).

4. Plaintiff's alleged "debt" as defined by the FDCPA, 15 U.S.C 1692a(5) arose from a transaction entered into primarily for personal use.
5. Upon information and belief Bounce AI, Inc., is a New York corporation with its principal place of business located at 70 Linden Oaks, Suite 19, Rochester, NY 14625.
6. Defendant is engaged in the collection of debt from consumers using the mail, electronic mail (hereinafter "email") Small Message Service Text (hereinafter "text") and telephone. Defendant regularly attempts to collect consumers' debts alleged to be due to another.
7. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C 1692a(6).

8. IV. FACTS OF THE COMPLAINT

9. On or about October 14, 2023, Defendant mailed Plaintiff a Dunning Letter, attempting to collect a debt in the amount of \$2,318.64 allegedly owed to Tally Technologies Inc.

10. On or about October 27, 2023, at 10:19 AM EST, Plaintiff received a text message from Defendant attempting to collect the same debt.
11. On or about November 7, 2023, at 5:08 PM EST, Plaintiff received a second text message from Defendant attempting to collect same debt as before.
12. On or about November 7, 2023, at 7:50 PM EST, Plaintiff responded to Defendant's text stating "I refuse to pay."
13. On or about November 8, 2023, at 1:19 PM EST, the Defendant replied and sent a third text message to the Plaintiff, stating: "Hi Ryan, claim a reduced settlement for your \$2318.64 from Tally Technologies Inc." This action constitutes a violation of 15 U.S.C. 1692c(c).
14. On or about November 9, 2023, at 8:28 AM EST, Defendant sent a fourth text message to Plaintiff's text stating "Hi Ryan, it's Dawnte from Bounce AI, reaching out to you regarding your options." This action constitutes a violation of 15 U.S.C 1692c(c).

15. Plaintiff has suffered actual damages as a result of these illegal collection communications by Debt Collector in the form of anger, anxiety, intrusion upon seclusion, decreased ability to focus on tasks while at work, frustration, amongst other negative emotions, as well as suffering from unjustified abusive invasions of personal privacy.

CLAIM FOR RELIEF
(Bounce AI, Inc.)
15 U.S.C 1692c(c)

16. Plaintiff re-alleges and reincorporates all previous paragraphs as if fully set out herein.
17. The Debt Collector violated the FDCPA.
18. The Debt Collector's violations include, but are not limited to, the following:
 - (a) The Debt Collector violated 15 U.S.C § 1692c(c) of the FDCPA by communicating with the consumer after the consumer notified in writing that he refused to pay.
19. As a result of the above violations of the FDCPA, Defendant is liable to Plaintiff for actual damages, statutory damages and costs.

VI. JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff, **Ryan Davis**, respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Debt Collector for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);
- D. Costs and reasonable attorney's fees pursuant to 15 U.S.C 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted:

/s/ Elliot Elo

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